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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			EXAMINER CHUMPITAZ, BOB R	
			ART UNIT 3629	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/693,333	<b>Applicant(s)</b> EPLING ET AL.	
	<b>Examiner</b> BOB CHUMPITAZ	<b>Art Unit</b> 3629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/29/2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |



### **DETAILED ACTION**

The following is a Non-Final Office action in response to communication received August 29, 2008. Claims 1, 4, 7, 9-16 and 18-20 are currently amended. Claims 1-20 are pending and addressed below.

#### ***Response to Amendments***

Applicant's amendment to claim 11 is sufficient to overcome the 35 U.S.C 112, second paragraph rejection set forth in the previous office action. Applicant's amendment is sufficient to overcome claim objections as well.

#### ***Response to Arguments***

Applicant's arguments filed 8/29/2008 have been fully considered and are persuasive. In the remarks, Applicant arguments are moot based on the new grounds of rejections below.

#### ***New Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

**Claim 1** recites a method comprising: “comparing”, “identifying”, “re-ordering” and “displaying”, however as presented in the claim it is not directed to any form of structure and could equate to software components. Based on Supreme Court precedent, a proper

process must be tied to another statutory class or transform underlying subject matter to a different state or thing. The machine-or-transformation test is a two-branched inquiry; an applicant may show that a process claim satisfies § 101 either by showing that his claim is tied to a particular machine, or by showing that his claim transforms an article. See *Benson*, 409 U.S. at 70. Certain considerations are applicable to analysis under either branch. First, as illustrated by *Benson* and discussed below, the use of a specific machine or transformation of an article must impose meaningful limits on the claim's scope to impart patent-eligibility. See *Benson*, 409 U.S. at 71-72. Second, the involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity. See *Flook*, 437 U.S. at 590. The claimed process contains physical steps and it does not involve transforming an article into a different state or thing. Therefore, Applicants' claim is not drawn to patent-eligible subject matter under § 101, because the applicable test to determine whether a claim is drawn to a patent-eligible process under § 101 is the machine-or-transformation test set forth by the Supreme Court and clarified herein, and Applicants' claim here plainly fails that test. See *e.g. In re Bilski and Warsaw*, (Fed. Cir. 2008).

**Claims 2-10** depend from claim 1 and do not cure the deficiencies set forth above.

Therefore, claims 2-10 are also rejected under 35 USC 101 for being directed to non-statutory subject matter.

**Claim 11** recites a system comprising: “user menu”, “web browser”, “trust engine”, “transformation module” and “user interface module”, none of which are recorded on a computer-readable medium. Claim 11 has not claimed any physical structure in the

system. As per MPEP 2106.01, functional descriptive material is non-statutory when claimed as descriptive material per se and not structurally or functionally interrelated to a computer-readable medium. Therefore, it is respectfully submitted that claim 11 is rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter.

**Claim 14** recites a “privacy actuator”. It is unclear how a “privacy actuator” constitutes a system. Therefore, it is respectfully submitted that claim 14 is rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Examiner interprets the “privacy actuator” to mean a matching mechanism containing a combination of software and hardware elements.

**Claims 12-13 and 15** depend from claim 11 and do not cure the deficiencies set forth above. Therefore, claims 12-13 and 15 are also rejected for being directed to non-statutory subject matter.

**Claim 16** recites “comparing a set of user concerns”, "identifying specific portions", "re-ordering the privacy statements" and "displaying". However, as presented in the claim the limitations are not tied to a physical structure used for performing the series of steps. Therefore, it is respectfully submitted that claim 11 is rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter (MPEP 2106.01).

**Claims 17-20** depend from claim 16 and do not cure the deficiencies set forth above. Therefore, claims 17-20 are also rejected under 35 USC 101 for being directed to non-statutory subject matter.

*New Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Claim 11** recites in the preamble that the claim is directed towards the statutory category of a system. However, the body of claim 11 comprises a “menu”, “web browser”, “trust engine” and “modules”, and is thus directed towards function descriptive material.

Therefore, it is not clear how a series of “modules” or functional descriptive material constitutes a system. Clarification is required. For examination purposes, the Examiner is interpreting the system to contain a combination of software and hardware elements.

**Claim 14** recites “privacy actuator”. It is unclear and indefinite as to what a “privacy actuator” means. There is no support or definition in the disclosure. Claim 14 points to the steps the “privacy actuator” performs, but does not define it. Examiner interprets the “privacy actuator” to mean a matching mechanism containing a combination of software and hardware elements.

**Claims 12-13 and 15** depend from claim 11 and contain the same deficiencies.

Therefore, claims 12-15 are also rejected under 35 U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his/her invention. Clarification is required. For examination purposes, the

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Examiner is interpreting the system to contain a combination of software and hardware elements.

***New Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-6, and 8-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barzilai et al. (US 2002/0104015 A1) (hereinafter Barzilai) in view of Ahlstrom et al. (US 6,327,618 B1) (hereinafter Ahlstrom).**

**As per claim 1**, Barzilai discloses a method, comprising:

comparing one or more user concerns with a Web site privacy policy ([0003-4, Platform for Privacy Preference Project (P3P) browsers automatically read a web site's privacy policies and compare it to the consumer's (users) privacy preferences (concerns)]; see also, [0011-14, the enterprise privacy manager (EPM) ensures that the users receive notice of the policy of the web site they are currently visiting and that the user consent to the policy before submitting user's private information]; see also, [0024, 0075, prompting the user to provide input to indicate whether the user accepts or rejects the change]; see also, Fig. 6, item 88);

Barzilai does not expressly disclose:



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identifying specific portions of the Web site privacy policy that conflict with the user concerns; and re-ordering the Web site privacy policy such that the identified specific portions of the Web site privacy policy that conflict with the user concerns appear before the portions of the Web site privacy policy that do not conflict with the user concerns; and displaying the re-ordered Web site privacy policy.

However, Ahlstrom teaches identifying a policy conflict when a first condition of the first policy and a second condition of the second policy conflict (col. 4, lines 9-18). In addition, Ahlstrom teaches when a conflict is found the policy verifier displays the conflicting policies to a user and promotes the user to correct one or both policies so that they do not conflict; and displaying the conflicting policies for prompting the user to choose which of the policies is to take precedence over the other policies. Furthermore, Ahlstrom teaches once the conflict resolution is completed the system executes the corrected or re-ordered policies (col. 10, lines 21-67).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the web site privacy policy analysis of Barzilai to include a method for recognizing and processing conflicts in policies that govern a policy based system as taught by Ahlstrom in order to create a time efficient privacy management solution for managing variations in privacy policy that may be implemented in different parts of a single enterprise or changes in privacy policy that may occur over time.

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**As per claims 2 and 3**, Barzilai and Ahlstrom disclose claim 1 as rejected above, wherein

Barzilai further discloses:

collecting user concerns from a user ([0002, information collected from users by network servers]; see also, [0059, 0070, collecting information from users]).

collecting the user concerns from a user via a concerns settings user interface ([0063, 0069-73 EPM comprises a number of interfaces; a user request handler which collects data to be passed to personal information engine]).

**As per claim 4**, Barzilai and Ahlstrom disclose claim 1 as rejected above, wherein Barzilai further discloses:

the Web site privacy policy includes one or more policy statements ([0097, web site privacy policy are presented to the user in a variety of ways such as a list of privacy rules that are pertinent to the requested personal information]); and

the comparing further comprises comparing each privacy policy statement with each user concern ([0113, the privacy policy and the list of requested data are passed to matcher in personal information engine, which compares the privacy policy to the specific privacy rules]).

**As per claims 5 and 6**, Barzilai and Ahlstrom disclose claim 1 as rejected above, wherein

Barzilai further discloses:

wherein the privacy policy further comprises a policy file that conforms to P3P (Platform for Privacy Preferences Project) standards ([0004, P3P provides a standardized set of

multiple choice questions, covering major aspects of a Web site's privacy policies, in order to give a "snapshot" of how a site handles personal information about its users]]).

the privacy policy is contained in an XML (eXtensible Markup Language) file.

([0004, P3P enabled web sites make this information available in a standard, machine-readable format using Extensible Markup Language (XML) and the Hypertext Transfer Protocol (HTTP)]).

**As per claim 8**, Barzilai and Ahlstrom disclose claim 1 as rejected above, but Barzilai does not expressly disclose notifying the user that a conflict exists between the user concerns and the Web site privacy policy file.

However, Ahlstrom teaches wherein administrators are informed when policies conflict and are given tools to resolve conflict (col. 9, lines 6-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Barzilai to include a form of notification when policies conflict as taught by Ahlstrom in order to create a time efficient process for resolving policy conflicts.

**As per claim 9**, Barzilai and Ahlstrom disclose claim 1 as rejected above, wherein Barzilai further discloses wherein the displaying is performed in response to a user request to display the re-ordered Web site privacy policy ([0025, a request by the user to access the given resource

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responsive to the request....conveying the privacy policy in a standard form for presentation by a web browser]; see also, [0063, privacy policies are displayed on user's browser]; see also, [0096, display new privacy policy on the user's computer upon request]).

**As per claim 10**, Barzilai and Ahlstrom disclose claim 1 as rejected above, wherein Barzilai further discloses where claim 1 further comprising receiving a user request to initiate a policy analysis ([0050, query the application to determine compliance with privacy policies subject to which the requested information was received]; see also, [0024, prompting the user to provide input]).

**As per claim 11**, Barzilai discloses a system, comprising:

a user concerns menu to allow a user to enter user concerns that are privacy concern preferences applicable to browsing Web sites ([0003, 0024, web sites prompt users to input various items]; see also, [0061-62, graphical user interface enables the administrator to create, review, and edit policies]);

a Web browser to allow the user to access one or more network Web sites ([0025, web browser]);

a trust engine to compare the user concerns with a privacy policy file included in a Web site ([0004, P3P enable browsers can read the policy automatically and compare it to the consumer's own set of privacy preferences]; see also, [0113, privacy policy and the list of

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requested data are passed to matcher 52 in a personal engine which compares the privacy policy to the specific privacy rules governing each item of requested data]), and

Barzilai does not expressly disclose:

identify specific portions of the privacy policy file that conflict with the user concerns;

a transformation module to transform the privacy policy file into a user-centric policy

display that emphasizes the specific portions of the privacy policy file that conflict with

the user concerns; a user interface module to display a user interface that includes at least

the specific portions of the privacy policy file that conflict with the user concerns.

However, Ahlstrom teaches identifying a policy conflict when a first condition of the first policy and a second condition of the second policy conflict (col. 4, lines 9-18). In

addition, Ahlstrom teaches when a conflict is found the policy verifier displays the

conflicting policies to a user and promotes the user to correct one or both policies so that

they do not conflict; and displaying the conflicting policies for prompting the user to

choose which of the policies is to take precedence over the other policies. Furthermore,

Ahlstrom teaches once the conflict resolution is completed the system executes the

corrected or re-ordered policies (col. 10, lines 21-67; see also, col. 12, lines 15-63

computer system is coupled via a bus to display a cathode ray tube for displaying

information to a computer user).

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Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the web site privacy policy analysis of Barzilai to include a method for recognizing and processing conflicts in policies that govern a policy based system as taught by Ahlstrom in order to create a time efficient privacy management solution for managing variations in privacy policy that may be implemented in different parts of a single enterprise or changes in privacy policy that may occur over time.

**As per claim 12**, Barzilai and Ahlstrom disclose claim 11 as rejected above, wherein Barzilai further discloses wherein the trust engine further compares each user concern with each of multiple statements making up the privacy policy file ([0113, privacy policy and the list of requested data are passed to matcher 52 in a personal engine which compares the privacy policy to the specific privacy rules governing each item of requested data]).

**As per claim 13**, Barzilai and Ahlstrom disclose claim 11 as rejected above, wherein Barzilai discloses a collection of web pages accessible through a web site of the enterprise and wherein providing the privacy policy includes conveying the policy in a standard form for presentation by a Web browser ([0025]), but does not expressly disclose wherein the Web browser further provides a conflict notification when there is a conflict between a user concern and the privacy policy file.

However, Ahlstrom teaches wherein administrators are informed when policies conflict and are given tools to resolve conflict (col. 9, lines 6-37). In addition, Ahlstrom teaches a

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policy verifier the checks each policy for conflicts, notifies a user or other system, and resolves the conflicts (col. 12, lines 6-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Barzilai to include a form of notification when policies conflict as taught by Ahlstrom in order to create a time efficient process for resolving policy conflicts.

**As per claim 14**, Barzilai and Ahlstrom disclose claim 11 as rejected above, wherein Barzilai further discloses wherein the Web browser further provides a privacy actuator that, when activated, initiates the compare, the identity, the transform and the display ([0113, matcher 52 in the personal information engine]).

**As per claim 15**, Barzilai and Ahlstrom disclose claim 11 as rejected above, wherein Barzilai does not expressly disclose: wherein the user interface module displays the portions of the privacy policy file that conflict with the user concerns more prominently than the portions of the privacy policy file that do not conflict with the user concerns

However, Ahlstrom teaches displaying information that describes the conflict; and receiving modification information that modifies the first policy or the second policy so as to eliminate the conflict. In addition, Ahlstrom teaches displaying information that describes the conflict and receiving precedence information that identifies whether the first policy of the second policy shall take precedence (col. 4, lines 9-23). Furthermore,

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Ahlstrom teaches wherein resolving conflict between two policies and administrator may change one or both of them; and can supply the system with information on the relative priorities of the policies (col. 9, lines 29-37; see also, col. 10, lines 29-37, a text based or graphical policy editor).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Barzilai to include a conflict resolution text based or graphical policy editor as taught by Ahlstrom in order to create a process that reports to the user or to system the consequences of a particular policy conflict resolution and executing the corrected or re-ordered policies in a time efficient manner.

**As per claim 16**, Barzilai discloses one or more computer-readable media including computer-executable instructions that, when executed on a computer, perform a method of evaluating computer-based privacy policies comprising:

comparing a set of user concerns with a set of Web site privacy policy statements to determine if a privacy policy statement conflicts with a user concern ([0004, 0048-50 P3P enabled web sites make this information available in a standard, machine-readable format using extensible markup language (XM) and the hypertext transfer protocol (HTTP) and P3P enabled browsers read the policy snapshot automatically and compare it to the consumers own set or privacy preferences]);

Barzilai does not expressly disclose:



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identifying specific portions of the privacy policy statement that conflict with the user concern; re-ordering the privacy policy statements so that the specific portions of the privacy policy statement that conflict with the user concern appear before the portions of the privacy policy statement that do not conflict with the user concern; and displaying a user interface that presents the re-ordered privacy policy statements.

However, Ahlstrom teaches identifying a policy conflict when a first condition of the first policy and a second condition of the second policy conflict (col. 4, lines 9-18). In addition, Ahlstrom teaches when a conflict is found the policy verifier displays the conflicting policies to a user and promotes the user to correct one or both policies so that they do not conflict; and displaying the conflicting policies for prompting the user to choose which of the policies is to take precedence over the other policies. Ahlstrom further teaches once the conflict resolution is completed the system executes the corrected or re-ordered policies (col. 10, lines 21-67). Furthermore, Ahlstrom teaches wherein conflict resolution is accomplished by the system keeping a partial order of all policies, or of all conflicting policies (col. 9, lines 34-36).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the web site privacy policy analysis of Barzilai to include a method for recognizing and processing conflicts in policies that govern a policy based system as taught by Ahlstrom in order to create a time efficient privacy management solution for

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managing variations in privacy policy that may be implemented in different parts of a single enterprise or changes in privacy policy that may occur over time.

**As per claim 17**, Barzilai and Ahlstrom disclose claim 16 as rejected above, wherein Barzilai further discloses collecting the set of user concerns from a user ([0002, information collected from users by network servers]; see also, [0059, 0070, collecting information from users]).

**As per claim 18**, Barzilai and Ahlstrom disclose claim 16, wherein Barzilai further discloses receiving a prompt from a user before executing the comparing, identifying, re-ordering, and the displaying ([0012, EPM prompts the user for consent to change before allowing the interaction to continue]).

**As per claims 19 and 20**, Barzilai and Ahlstrom disclose claim 16 as rejected above, but Barzilai does not expressly disclose providing a conflict notification to a user to inform the user that specific portions of the privacy policy statement that conflict with the user concern have been identified; and only performing the displaying upon detection of a user response to the conflict notification.

However, Ahlstrom teaches wherein administrators are informed when policies conflict and are given tools to resolve conflict (col. 9, lines 6-37). In addition, Ahlstrom teaches a policy verifier the checks each policy for conflicts, notifies a user or other system, and resolves the conflicts (col. 12, lines 6-14).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Barzilai to include a form of notification when policies conflict as taught by Ahlstrom in order to create a time efficient process for resolving policy conflicts.

**Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barzilai in view of ([www.w3schools.com](http://www.w3schools.com)) (hereinafter W3Schools) (© Feb. 2003).**

As per claim 7, Barzilai and Ahlstrom disclose claim 1 as rejected above, but do not expressly disclose wherein displaying the re-ordered Web site privacy policy includes displaying the re-ordered Web site privacy policy in an XSL (extensible Stylesheet Language) transformation.

However, W3Schools teaches how XML documents are displayed and transformed into XSL language (Pgs.1-11, XSL transformation).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the web site privacy policy analysis of Barzilai and the policy based method and system of Ahlstrom to include an XSL transformation process for displaying the re-ordered web site privacy policy as taught by W3Schools in order to efficiently and effectively display the privacy policy in XSL format.

**Please note:**

Applicant(s) are reminded that optional or conditional elements do not narrow the claims because they can always be omitted. See *e.g.* MPEP §2106 II C: “Language that suggest or

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makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation”; and *In re Johnston*, 435 F.3d 1381, 77 USPQ2d 1788, 1790 (Fed. Cir. 2006) “As a matter of linguistic precision, optional elements do not narrow the claim because they can always be omitted.” *In re Johnston*, 435 F.3d 1381, 77 USPQ2d 1788, 1790 (Fed. Cir. 2006)(where the Federal Circuit affirmed the Board’s claim construction of “further including that said wall may be smooth, corrugated, or profiled with increased dimensional proportions as pipe size is increased” since “this additional content did not narrow the scope of the claim because these limitations are stated in the permissive form ‘may.’”).

### ***Conclusion***

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOB CHUMPITAZ whose telephone number is (571) 270-5494. The examiner can normally be reached on M-TR: 7:30AM - 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN WEISS can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-270-6494.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

B. C.

Examiner, Art Unit 3629

/John G. Weiss/

Supervisory Patent Examiner, Art Unit 3629